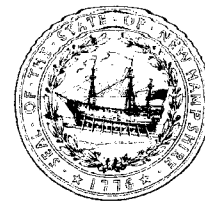




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

**LETTER OF DEFICIENCY
SP 06-007**

June 12, 2006

Riverbend RV Resort Inc
PO Box 762
West Ossipee, NH 03890

RE: DES Wetlands File #2006-01385 NH Route 113, Tamworth

Dear Sir or Madam:

On June 5, 2006, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Tamworth Tax Map 420 as Lot 15 (the "Property"). The purpose of the inspection was to determine compliance with the Comprehensive Shoreland Protection Act ("CSPA"), RSA 483-B and NH Code of Admin. Rules Env-Ws 1400-1411.

Based on the inspection and further file review the following deficiencies were documented:

1. A well distributed stand of trees and saplings was not maintained in an area measuring approximately 49 feet by 65 feet along the Bearcamp River. DES documented approximately 14 trees stumps creating an opening immediately along the river. This site is located approximately 160 feet due west of survey station # Δ 20 and approximately 140 feet due north of proposed camp site 61.
2. DES noted the potential for an isolated wetland, not identified on the site development plan prepared by White Mountain Survey Co., Inc., in the location of proposed camp sites 32 through 34, immediately adjacent to the old woods road along the north edge, situated in a west to east direction. This area averages an elevation of 2 to 3 feet below the old woods road and varies in width from approximately 15 feet near the camp sites to 30 plus feet.

In response, you are requested to take the following actions:

1. For deficiency #1 above, within 30 days of receipt of this Letter of Deficiency, submit a restoration plan to DES for review and approval. Have the restoration plan prepared by a qualified environmental consultant, or landscape designer and include provisions for establishing a well distributed stand of saplings and trees along the cleared bank section on the Property. Submit the following with the restoration plan:
 - a. A plan with dimensions, drawn to scale, showing:
 - (1) The species of plants proposed for replanting;
 - (2) The number and distribution of plants proposed for replanting;
 - (3) The basal area of the trees proposed for replanting;
 - (4) The existing trees remaining within the natural woodland buffer, if any; and
 - (5) The existing and proposed structures, including but not limited to the primary structure, accessory structures, and water-dependent structures.

- b. A detailed description of the proposed means of erosion control (silt fence, hay bales, etc) and stabilization of the restoration area;
 - c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area and control of invasive species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*);
 - d. A description of the proposed construction sequence and methods for accomplishing restoration and anticipated restoration compliance date.
 - e. A description of the method of documenting at least 75% survival of all vegetation planted during the restoration project. This should include at a minimum monitoring progress reports for two successive
- 2. Retain a qualified environmental consultant, or landscape designer to supervise the implementation of the restoration plan and to submit the restoration progress reports.
 - 3. Implement the restoration plan only after receiving written approval and as conditioned by DES.
 - 4. For deficiency #2 above, please provide a report with data sheets to document the extent of wetlands in this area (see enclosed plan noting area of concern).

RSA 483-B, the New Hampshire Comprehensive Shoreland Protection Act, was enacted to protect and preserve the shorelands of the State to maintain the integrity and exceptional quality of the State's public waters. RSA 483-B and Env-Ws 1400-1409 establish minimum standards for the future subdivision, use, and development of the shorelands within 250 feet of the state's public waters.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 483-B will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Jeffrey D. Blecharczyk, Shoreland Compliance Coordinator
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Jeffrey D. Blecharczyk at (603) 271-6876 or email at jblecharczyk@des.state.nh.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Collis G. Adams", is written over a large, bold, black "COPY" stamp.

Collis G. Adams, CWS
Administrator
Wetlands Bureau

Enclosure

CERTIFIED MAIL: 7006 0100 0005 8153 6150

cc: Rene Pelletier, Asst. Director, Water Division
Gretchen R. Hamel, Administrator, DES Legal Unit
Tamworth Conservation Commission
Tamworth Board of Selectmen
USACOE
White Mountain Survey Co Inc
NHDES Site Specific Bureau, File #20060119-01